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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) Criminal No. CR 09-0094 JSW
14 Plaintiff,)
15 v.)
16 JOSE HUGO MENDEZ-GIL,)
17 a/k/a Jose Mendez-Gil and)
18 a/k/a Jose Mendez-Espinoza,)
19 Defendant.)
20 _____)

[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
FROM FEBRUARY 12, 2009, TO MARCH
5, 2009

21 The parties appeared before the Honorable Jeffrey S. White on February 12, 2009.

22 With the agreement of counsel for both parties, the Court found and held as follows:

23 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
24 3161, from February 12, 2009, to March 5, 2009, in light of the need for defendant's counsel to
25 review discovery. Failure to grant the requested continuance would unreasonably deny defense
26 counsel reasonable time necessary for effective preparation, taking into account the exercise of
27 due diligence and the need for counsel to review the discovery with the defendant.

28 [PROPOSED] ORDER AND
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1 2. Given these circumstances, the Court found that the ends of justice served by
2 excluding the period from February 12, 2009, to March 5, 2009, outweigh the best interest of the
3 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

4 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
5 from February 5, 2009, to February 12, 2009, be excluded from Speedy Trial Act calculations
6 under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

7 IT IS SO STIPULATED.

9 DATED: February 17, 2009

10 _____
11 /s/
12 RONALD C. TYLER
13 Counsel for Jose Hugo Mendez-Gil

12 DATED: February 17, 2009

13 _____
14 /s/
15 DARYL T. EREMIN
16 Special Assistant United States Attorney

17 IT IS SO ORDERED.

17 DATED: March 10, 2009

18 _____
19 THE HON. JEFFREY S. WHITE
20 United States District Court Judge
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